

**Notice of Allowability**

Application No.

10/059,011

Examiner

Gregory F. Cunningham

Applicant(s)

BROWN ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment received 7/13/2005.
2. ☒ The allowed claim(s) is/are 1,2,4,6-12,14,16-22,24-27 and 31-33.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 1/18/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **DETAILED ACTION**

1. This action is responsive to amendment filed 7/13/2005.
2. The disposition of the claims is as follows: claims 1, 2, 4, 6-12, 14, 16-22, 24-27 and 31-33 are pending in the application. Claims 1, 11, 21 and 31-33 are independent claims. Claims 3, 5, 13, 15, 23 and 28-30 have been cancelled.

### ***Claim Rejections - 35 USC § 102 and 103***

3. In view of amended and cancelled claims and review of cited references, 102 and 103 rejections are withdrawn.

### ***Allowable Subject Matter***

4. Claims 1, 2, 4, 6-12, 14, 16-22, 24-27 and 31-33 are allowed.
5. The following is an examiner's statement of reasons for allowance:

Applicant's amended independent claims 1, 11, 21 and 31-33 stand novel over the related prior art. For instance, the related art of Samar (U.S. 6,563,514), discloses:

“The bubble software configures a processing system such that when a pointer or cursor is positioned by a user over an item of interest, and without further interaction from the user, information related to the item of interest is retrieved locally and/or remotely and then presented to the user. The user is not required to click on (or otherwise select) a hypertext link.” and

It is also to be understood that the "bubble" itself may take on different forms, such as a callout box, a balloon, a box, the image of a television set or computer, etc. Alternatively, the "bubble" might be a display in a menu, a task bar, etc., and may be capable of being scrolled. The bubble may also take on a variety of colors, shapes, shadings, and transparency levels.”;

while the related art of Bates et al., (US 6,342,908 B1), discloses, for each window, an elapsed time since it was in focus, and changes the position and size of each window in proportion to its elapsed time. The controller shrinks each window that is not in focus and moves it away from its original position and toward the boundary of the desktop in proportion to the elapsed time since it was in focus. Thus, the windows that the user is using heavily tend to stay large and near their original position while windows that the user is using lightly tend to shrink and move toward the boundary of the screen.”; and finally

Grossman et al. (US 5,852,440) discloses “Those icons which are next likely to be used are selected and automatically moved towards a cursor thereby facilitating selection of the icons. Additionally, those icons likely to be used or other icons selected by a user may track the cursor such that those icons are always close to the cursor and capable of being easily selected. Further, in order to facilitate selection of icons, icons are provided with the capability of announcing themselves when a cursor comes close to the icon. In addition, it is possible to reduce the amount of clutter on a computer display so that icons may be easily selected. In order to clean up a computer display, icons which are least likely to be used are faded, eliminated or shrunk to a smaller size.”

However neither Samar, Bates nor Grossman disclose independently or in combination: monitoring a separate status of each of a plurality of computer resources comprising at least one processing resource, at least one storage resource, at least one memory resource, at least one software resource, and at least one graphical resource;

displaying a user interface comprising at least one displayable object within a display area with a plurality of separate cursor position sensitive regions each graphically distinguished

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within a total display region of said displayable object solely for triggering a transparent resource aid upon detection of a cursor, wherein each of said plurality of cursor position sensitive regions is associated with a separate selection of monitored resources from among said plurality of monitored computer resources:

comparing said separate status of each of said plurality of computer resources with at least one user specified threshold for each of said plurality of computer resources; and

responsive to detecting at least one from among said separate status for at least one of said separate selection of monitored resources associated with a particular cursor position sensitive region exceeding said threshold and said cursor positioned over said particular cursor position sensitive region from among said plurality of cursor position sensitive regions of said displayable object, placing a transparent resource aid with said display area in association with said displayable object wherein said transparent resource aid presents said separate status of said separate selection of monitored resources associated with said particular cursor position sensitive region, such that said at least one displayable object is not obscured by said transparent resource aid." as claimed in said independent claims.

Therefore as claimed by the combined elements of amended independent claim 1, 11, 21 and 31-33, the cited references and prior art of record lack separately and in combination the elements of amended claims.

Claims 2, 4, 6-10; 12, 14, 16-20; 22, 24-27 depend from allowable independent claims 1, 11 and 21, respectively, and therefore are also allowed.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Responses*

7. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 872-9306 may be used for formal communications.

### *Inquiries*

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory F. Cunningham whose telephone number is (571) 272-7784.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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*G. F. Cunningham*

Greg Cunningham

Examiner

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9/22/2005

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